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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF : SMITH et al.
FOR : EXPRESSION OF HETEROLOGOUS
GENES ACCORDING TO A TARGETED
EXPRESSION PROFILE
SERIAL NO. : 09/348,469
FILED : July 7, 1999
EXAMINER : Peter Paras, Jr.
ART UNIT : 1632
ATTORNEY DOCKET NO. : 78870/32932

Cleveland, Ohio 44115-1475
April 29, 2004

AMENDMENT AND RESPONSE

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Office Action in the above-identified application was dated October 30, 2003. The Applicants received an Official Communication from the Office dated April 2, 2004 indicating that Applicants response to the Office Action of October 30, 2003 was not fully responsive to the Examiner's Action. Accordingly, Applicants respectfully submit the response set forth below.

In response to the Official Communication dated April 2, 2004 please amend the present application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 8 of this paper.